

In the Claims

Please cancel Claims 34, 60 and 61. Please amend Claims 21 and 54-59.

21. (Three Times Amended) A method for determining the occurrence of a cerebral event and differentially diagnosing between an ischemic cerebral event and a hemorrhagic cerebral event comprising:

- a. analyzing a body fluid of a patient to detect presence and concentration level of ischemic marker proteins, said ischemic marker proteins consisting of myelin basic protein (MBP), the beta isoform of S100 protein (S100), and neuronal specific enolase (NSE), said analyzing comprising contacting said MBP, the beta isoform of S100 or NSE with a reagent capable of detecting said marker proteins, and removing reagent that does not detect said marker proteins,
- separate analysis* b. analyzing a body fluid of said patient to detect presence and concentration level of a brain endothelial cell membrane protein, said analyzing comprising contacting said brain endothelial cell membrane protein with a reagent capable of detecting said endothelial cell membrane protein, and removing reagent that does not detect said brain endothelial cell membrane protein,
- c. comparing the concentration level of each protein detected in steps (a) and (b) to specific threshold values to determine the presence of statistically significant concentrations thereof,
- d. assessing patient condition by comparing said presence or absence of statistically significant concentrations of said protein in accordance with an analytical flowchart and
- e. determining whether the patient condition assessed in step (d) is an ischemic cerebral event or an hemorrhagic cerebral event, wherein if MBP, S100, NSE and brain endothelial cell membrane proteins are assessed in steps (a) and (b); and only said NSE is elevated, then said patient condition is an ischemic cerebral event; or if MBP, S100, NSE and brain endothelial cell membrane protein are assessed in steps (a) and (b), and only said brain endothelial cell membrane protein is elevated, then said patient condition is an ischemic cerebral event; or if

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S100 is present then said patient condition is an ischemic cerebral event; or if NSE along with any of MBP, S100 or a brain endothelial cell membrane protein are present, then said patient condition is an ischemic cerebral event; or if brain endothelial cell membrane protein, with any of MBP, NSE, or S100 are present, then said patient condition is an ischemic cerebral event; or if S100 is present with elevated NSE and normal levels of brain endothelial cell membrane protein, then said patient condition is an ischemic cerebral event; or if S100 is present alone, or along with elevated NSE or brain endothelial membrane protein, then said patient condition is an ischemic cerebral event; or wherein if MBP is present at a level 200 times normal or greater, then said patient condition is a hemorrhagic cerebral event; or if S100 and NSE levels are elevated, and MBP and brain endothelial membrane protein levels are normal, then said patient condition is a hemorrhagic cerebral event; or if S100 and MBP are elevated, then said patient condition is a hemorrhagic cerebral event.

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54. (Amended) The method of Claim 21, wherein if MBP, S100, NSE and brain endothelial cell membrane protein are assessed, and only NSE is present, then said ischemic cerebral event is a transitory ischemic attack.
55. (Amended) The method of Claim 21, wherein if MBP, S100, NSE and brain endothelial cell membrane protein are assessed, and only a brain endothelial cell membrane protein is present, then said ischemic cerebral event is a lacunar infarct.
56. (Amended) The method of Claim 21, wherein if S100 is present or if NSE along with any of MBP, S100 or a brain endothelial cell membrane protein are present, or if brain endothelial cell membrane protein, with any one of MBP, NSE, or S100, or if S100 is present with elevated NSE and normal levels of a brain endothelial cell membrane protein, then said ischemic cerebral event is an evolving cerebral infarct.

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57. (Amended) The method of Claim 21, wherein if MBP is present at a level about 200 times normal or greater, then said hemorrhagic cerebral event is an intracerebral edema.
58. (Amended) The method of Claim 21, wherein if S100 and NSE are elevated, and MBP and brain endothelial cell membrane protein levels are normal, then said hemorrhagic cerebral event is a subarachnoid hemorrhage.
59. (Amended) The method of Claim 21, wherein if S100 and MBP are elevated, then said hemorrhagic cerebral event is a cerebral edema.
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Amendments to the claims are indicated in the attached "Marked Up Version of Amendments" (pages i - iii).

REMARKS

Claim Amendments

Support for the amendment to Claims 21 and 54-59 can be found throughout the specification, for example, at pages 13 to 27 and FIG. 2. No new matter has been added by the amendments.

Request for Interview

Applicant's Attorney respectfully requests an interview with the Examiner before the mailing of the next Office Action.

Paragraphs 1-3: Restriction Requirement

Applicant acknowledges that the Examiner has maintained the restriction requirement.

Paragraph 4: Oath/Declaration

Applicant acknowledges that the objection to the Oath/Declaration has been withdrawn.